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APPLICATION NO. 09/380,817	FILING DATE 01/21/00	FIRST NAMED INVENTOR REINARTZ	ATTORNEY DOCKET NO. H AP8957
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MM92/0607

EXAMINER

PEREZ, G

ART UNIT

PAPER NUMBER

2834

DATE MAILED:

06/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/380,817

Applicant(s)

REINARTZ ET AL.

Examiner

Guillermo Perez

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 March 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 14-26 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 14-26 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: _____

DETAILED ACTION

Specification

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 250 words. It is important that the abstract not exceed 250 words in length since the space provided for the abstract on the computer tape used by the printer is limited. **The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided.** The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 14-26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Burgdorf et al. (U. S. Pat. No. 5,895,207) in view of L. R. Gute (U. S. Pat. No. 3,244,917).

Burgdorf et al. disclose a motor-driven pump unit (figures 9-10) for antilock brake systems of motor vehicles comprising:

an electric motor (1) that is arranged on one side of a pump unit (2) and fastened thereto, an electronic unit (95) that is arranged on another side of the pump unit (2) and fastened thereto,

means (25, 98, 90) for mounting carbon brushes (8) and means (90) for the electric contacting of the carbon brushes in connection with the axial installation of the unit. Burgdorf et al. disclose that the mounting means (25,98,90) is arranged in the pump unit (2). Burgdorf et al. disclose that the electronic unit (95) is provided with the means (25,98,90) for mounting and contacting the carbon brushes (8) in order to form an electric constructional unit.

Burgdorf et al. disclose that the electronic unit (95) has at least two guide elements (98, 25) for the carbon brushes (8). Burgdorf et al. disclose that the guide elements (98,25) are arranged at the ends of at least one protruding arm (98). Burgdorf et al. disclose that protruding arms (98) are provided corresponding to the number of carbon brushes (8). Burgdorf et al. disclose that the at least two protruding arms (98) are arranged concentrically to the motor shaft (4). Burgdorf et al. disclose that arms (98) extend parallel to the axis of the motor shaft (4) in the direction of the motor. Burgdorf et al. disclose that the at least two protruding arms (98) extend through the pump unit (2).

However, Burgdorf et al. do not disclose means for mounting carbon brushes in an axially movable manner. Burgdorf et al. do not disclose that the at least two guide elements for the carbon brushes are effective parallel to a rotary axis of a rotating shaft of the motor unit. Burgdorf et al. do not disclose that the guide elements are arranged in alignment with a commutator having a contact surface that is at a right angle to the

rotary axis. Burgdorf et al. do not disclose that each guide element has a box that is open towards the motor for holding one of the carbon brushes in an axially movable manner. Burgdorf et al. do not disclose that each box is limited by a stop surface at an end facing away from the motor. Burgdorf et al. do not disclose that the stop surface is acted upon by a pressure spring, whose other end acts upon a carbon brush in the direction of the commutator.

L. R. Gute discloses means (36, 38) for mounting carbon brushes (64,66) in an axially movable manner. L. R. Gute discloses that the guide elements (36,38) are arranged at the ends of at least one protruding arm (36,38). L. R. Gute discloses that protruding arms (36,38) are provided corresponding to the number of carbon brushes (64,66). L. R. Gute discloses that the at least two protruding arms (36,38) are arranged concentrically to the motor shaft (54). L. R. Gute discloses that arms (36,38) extend parallel to the axis of the motor shaft (54) in the direction of the motor. L. R. Gute discloses that the at least two guide elements (36,38) for the carbon brushes (64,66) are effective parallel to a rotary axis of a rotating shaft (54) of the motor unit.

L. R. Gute discloses that the guide elements (36,38) are arranged in alignment with a commutator (58) having a contact surface (60) that is at a right angle to the rotary axis (54). L. R. Gute discloses that each guide element (36,38) has a box that is open towards the motor for holding one of the carbon brushes (64,66) in an axially movable manner. L. R. Gute discloses that each box is limited by a stop surface at an end facing away from the motor. L. R. Gute discloses that the stop surface is acted upon by a pressure spring (68,70), whose other end acts upon a carbon brush (64,66) in the

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direction of the commutator (58). L. R. Gute's invention has the purpose of providing a compact and economic to manufacture motor.

It would have been obvious at the time the invention was made to modify the motor-driven pump unit of Burgdorf et al. and provide it with the means for mounting carbon brushes and the commutator of L. R. Gute for the purpose of providing a compact and economic to manufacture motor.

Response to Arguments

Applicant's arguments with respect to claims 14-26 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Guillermo Perez whose telephone number is (703) 306-5443. The examiner can normally be reached on Monday through Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308 1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305 3432 for regular communications and (703) 305 3432 for After Final communications.

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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308 0956.

Guillermo Perez
June 2, 2001



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